

Email from Lord Geidt received on 17.6.22

Dear Mr Wragg

Many thanks again for the invitation to address the Public Administration and Constitutional Affairs Committee on Tuesday. Consistent with the Committee's interest in the role and remit of the Independent Adviser, and following my resignation, I hope it would benefit the Committee and the public record to have some further clarification about the reasons for my departure.

Since my letter of resignation was made public yesterday, there has been some confusion about the precise cause of my decision. My letter has been interpreted to suggest that an important issue of principle was limited to some narrow and technical consideration of steel tariffs. The cautious language of my letter may have failed adequately to explain the far wider scope of my objection.

In a BBC broadcast last night, the former Cabinet Secretary Lord Butler said the following (with my emphasis):

'He [Lord Geidt] thought it odious and impossible that he should be asked to give cover on something that might be in breach of international law and he didn't think that that was something that ought to be asked of him. **This isn't about steel.** It's about whether Lord Geidt should be asked to give advanced cover to the Prime Minister where there is contemplation of doing something that may be in breach of international law. ... When the Prime Minister is asking his own adviser to advise on the Prime Minister's conduct it really doesn't work.'

This represents my position precisely. Emphasis on the steel tariffs question is a distraction. It was simply one example of what might yet constitute deliberate breaches by the United Kingdom of its obligations under international law, given the Government's widely publicised openness to this.

Although explicit reference to international law was removed from the Ministerial Code in 2015, it is widely still held that a breach of international law would, in turn, represent a *prima facie* breach of the Ministerial Code. Moreover, there is no explicit derogation, no let-off written into the Code to absolve individual Ministers of their own obligations under the Code in such circumstances. Accordingly, and conscious of my own obligations under the Seven Principles of Public Life (including integrity), I could not be a party to advising on any potential law-breaking.

Yours sincerely

Christopher Geidt